

GARDNERVILLE TOWN BOARD

Meeting Minutes

August 2, 2005

- **The meeting was called to order by Chairman Cook. The flag salute was led by Jerry Smith.**

PRESENT:

Thomas J. Cook, Chairman
Randall P. Slater
Jerry L. Smith
Paul A. Lindsay

Michael S. Rowe, Town Counsel
Jennifer Roman, JWA Consulting Engineers
Jim Park, Town Manager
Jeff Summers, Maintenance Foreman
Carol Louthan, Administrative Assistant

ABSENT:

Michael W. Philips, Sr., Vice-Chairman

GUESTS: A list of those present is included in the file of the August 2, 2005 meeting.

- **Approval of the Agenda**

Motion Smith/Slater to approve the agenda with item 20 being moved after item 12. Motion carried with Board Member Philips absent.

- **Approval of Previous Minutes**
 - May 25, 2005 Community Planning Meeting

Motion Lindsay/Smith to approve the community planning meeting minutes of May 25, 2005. Motion carried with Board Member Philips absent.

- July 5, 2005 Regular Board Meeting

Motion Slater/Smith to approve the July 5, 2005 meeting minutes. Motion carried with Board Member Philips absent.

- **Discuss Good News in Gardnerville**

Mr. Park announced Gardnerville was named as a contender for best places to live in 2005 by CNN Money. The Town will be getting some striping and a centerline change on Toler shortly.

Chairman Cook received a letter from the Nevada Wolf Pack asking if he would like to attend the UNR/UNLV game. He will not be available and asked if any of the other Board members would like to attend?

Mr. Lindsay volunteered to go to the game representing the Town.

- **Public Comment on Any Item Not on Tonight's Agenda-No Board Action**

There were no comments.

CONSENT CALENDAR

Consent items may be pulled at the request of Board Members wishing to have an item or items further discussed. When items are pulled for discussion, they will be automatically placed at beginning of the Administrative Agenda. All items shall include discussion and possible action.

- **Motion to approve consent calendar.**

TOWN DEPARTMENTS

1. Accept Health and Sanitation Monthly Report
Accepted
2. Accept Public Works Monthly Report
Accepted
3. Accept Parks Department Monthly Report
Accepted

CORRESPONDENCE

4. Correspondence
Read and noted

TOWN MANAGER

5. Approve Claims for July 2005
Approved
6. Approve in state travel for Town Board members and staff to attend the 2005 Nevada League of Cities Annual Conference in October
Approved

Motion Slater/Lindsay to approve the consent calendar as submitted. Motion carried with Board Member Philips absent.

ADMINISTRATIVE AGENDA

IF ANY ITEMS WERE PULLED FROM THE CONSENT CALENDAR, THOSE ITEMS WILL BE HEARD AT THIS POINT

APPOINTMENTS

7. Discussion and possible action on MPTA (DA) 05-060), a request for a Master Plan Text Amendment modifying the language in Master Plan Policy MG.02.06: which currently reads as follows: "The commercial zoning classification of the parcel located at 1349 Centerville Lane, Gardnerville, (also identified as APN 25-142-05) shall be restricted to the Office Commercial zoning district." The proposed language shall read as follows: ***"The commercial zoning classification of the parcels located at 1349 and 1355 Centerville Lane, Gardnerville, (also identified as APN's ~~25-142-05~~ (1220-04-201-001 & 1220-04-101-004) shall be restricted to the Office Commercial zoning district."*** within the Minden/Gardnerville Planning Area, 1355 Centerville Lane, APN #1220-04-101-004, Michael and Laura Palmer, owners, Western Engineering & Surveying Services, applicant.

Mr. Park pointed out item 7,8 9 run concurrently, but the Board needs to take separate actions on each. The applicants' representative is here and Heather Bovat from Douglas County. Staff has no issues with the request. They feel it goes along with the current zoning in the area. Based on the historical use, office commercial is the least invasive. It just adds this parcel as a text amendment to the verbiage in the Minden-Gardnerville plan.

Mr. Smith mentioned Mr. Philips is absent.

Chairman Cook asked that the record reflect Mr. Philips is not present this evening.

Ms. Heather Bovat, Douglas County Community Development, explained this is a text amendment because of policy MG 2.06 that specifies only one parcel on Centerville would be identified for commercial or office commercial. Since then churches and other mixed uses have gone into the area. This side of the street has more commercial, community facility and business office uses. Based on the request, they did need to submit for a change to the text. County staff does support this and they do have copies of the report that are available.

Mr. Dennis Smith, Western Engineering representing Dr. Palmer and his wife advised right now the property is a veterinary center with a special use permit in a residential district. They are asking for the text amendment, master plan amendment and zone change.

No public comment.

Motion Smith/Lindsay to recommend approval of master plan text amendment DA-05-060 adding 1355 Centerville Lane APN 1220-04-101-004 to policy MG0206 and restricting the parcel to the office commercial zoning district. Motion carried with Board Member Philips absent.

8. Discussion and possible action on MPA (DA) 05-060, a request for a Master Plan Amendment to change the land use designation from SFE (Single-Family Estates) to C (Commercial) land use within the Minden/Gardnerville Planning area, 1355 Centerville Lane, APN #1220-04-101-004, Michael and Laura Palmer, owners, Western Engineering & Surveying Services, applicant

Mr. Park mentioned this action is the second state of the three items and changes the designation from single-family estates to commercial.

No public comment.

**Motion Lindsay/Smith to recommend approval of MPA DA 05-060 changing the land use designation from single-family estates to commercial on APN 1220-04-101-004.
Motion carried with Board Member Philips absent.**

9. Discussion and possible action on ZMA (DA) 05-060, a request for a Zoning Map Amendment to change the zoning district from SFR-1 (Single-Family Residential, 1-acre minimum parcel size) to OC (Office Commercial) zoning district within the Minden/Gardnerville Planning Area, 1355 Centerville Lane, APN #1220-04-101-004, Michael and Laura Palmer, owners, Western Engineering & Surveying Services, applicant

Mr. Park noted this is the third item of the series of requested changes. This recommends the placement of the OC zoning on this parcel.

Ms. Bovat did want to clarify that right now the Palmers have a Special Use Permit. There is a corral on sight and an outdoor feeder. With the designation of office-commercial, they can carry on the outside operation as it stands today under the special use permit. With office-commercial, outdoor facilities or a veterinarian clinic are not permitted. Should he decide to expand the office portion, he can do that in the office commercial. Any outdoor activities would not be allowed. The existing special use permit would allow the corrals to be maintained.

Mr. Slater asked why the existing special use permit would be in effect after they change the zoning?

Mrs. Bovat explained as long as the use is still there, the outdoor corral can remain on site. It allows him to expand his operation from the office perspective and/or combine his office with another office use. It doesn't take away his right to use the existing corral. He just cannot expand the outdoor pens.

Mr. Slater felt this is a cloudy area.

Mr. Dennis Smith believed if the special use permit is an issue they could ask for it to go away.

Ms. Bovat went over the master plan amendment process to try to clarify the issues. There wasn't sufficient information to prepare a complete report so they made their assumption based on the information that was submitted in the application that did not state there would be any expansion or other office commercial uses.

Mr. Slater asked if the Board requests and applicant agrees to do away with the Special Use Permit, this is not going to cloud the issue more?

Ms. Bovat did not think so.

No public comment.

Motion Smith/Slater to recommend approval of ZMA DA05-060, a request for a zoning map amendment to change the zoning district from SFR-1 Single Family Residential 1 acre minimum parcel size to OC Office Commercial Zoning District APN 1220-04-101-004 with the applicant's special use permit being surrendered.

Motion carried with Board Member Philips absent.

10. Discussion and possible action on LDA 05-044, a request for a Tentative Parcel Map to divide a 19,166 square foot parcel into two (2) parcels, the smallest being 9,583 square feet within an SFR-8000 (Single Family Residential, 8,000 square foot parcel size) zoning district, 1500 and 1502 Circle Drive, APN #1320-32-703-002, Joseph and Gary Silvestri, owners and applicant

Mr. Park stated 1500 Circle is assigned to two different parcels. That needs to be cleaned up. There are two dwelling units on one parcel. They are requesting to split the parcels and to establish the easement to serve the second parcel. There is an existing easement recorded for Mr. & Mrs. Barrett to allow them to get a travel trailer in and out from behind their garage. They are asking that to be maintained. The Water Company has an easement for a waterline. They are asking that to remain in place as well. The concern is the Sierra Motel. They are asking that any additional loads need to come to the Board and that access needs to be residential in nature only.

Mr. Slater disclosed he is an adjacent property owner on this item.

Mr. Dan Jenkins, representing the applicant, advised they don't have any problems with the conditions. This easement is very old. It is not intended for any other traffic. There are some map corrections that will be taken care of on the final map. The traffic is something they can look into and see if there is another remedy.

Mr. Slater gave some background information on the problems associated with this parcel.

Chairman Cook called for public comment.

Ms. Gary Silvestri stated when they bought the property all they were told was the Barrett's used that easement to get their trailer in the back and the driveway fed both garages of the residences on that property. Nothing was ever said about semis or tractor-trailers. They will look into their rights as the property owners. That is not what they wanted to get involved with.

No further public comment.

Motion Slater/Smith to approve the parcel division LDA 05-044 as requested into two lots at 1502 and 1500 Circle Drive, APN 1320-32-703-002.

Mr. Slater asked if they would be able to include in the motion restricting the access to residential only.

Mr. Rowe understands the concerns of the Board. But they are trying to fit something in that doesn't really function as part of the Town Board. You have made them aware of it. They need to enforce their own rights on that issue.

Motion carried with Board Member Philips absent.

Mr. Jenkins pointed out there is a discrepancy in the numbers and when the County approves it there will be new numbers.

11. Discussion and possible action on a request to work cooperatively on a project to provide flood and drainage improvements and linear greenbelt linkages in conjunction with the future development of the Hellwinkel property located adjacent to Gardnerville Elementary School

Mr. Park stated staff was approached by the property owner to look at some long term uses. They are here to conceptually look at the ideas and support working with the applicant, the Army Corp. of Engineers, the Soil and Conservation Service and eventually look at Question One funding. The property owners would be looking at deeding two acres over to the Town. They could leverage the donation of the land for Question One match money.

Mr. Keith Ruben, representing the Hellwinkel family, indicated they are trying to position this property to be able to take advantage of Question One money, the Corp. process and also work with NRCS for permitting. NRCS will do a wetland delineation free for a government agency.

Mr. Park has talked with NCRS and they are willing to work with the Town. He has a call into the Army Corp office in Reno as well. Staff is looking for the Board to say this generally meets the overall vision and allow staff more bargaining power with the Corp of Engineers and maybe help expedite things. They can approach it from the standpoint that it has been reviewed by the local governing Board. It does meet the Board's goals and expectations.

Mr. Slater is happy they will be working together. They wanted to work with them but never knew how to get something started. This is the ideal way to begin.

Chairman Cook asked how much it would take to delineate the flood plain? How much will it have to be raised?

Mr. Keith Neddenriep believed a preliminary estimate would be a channel that is 50 feet wide and 6 feet deep to contain a flood.

Chairman Cook asked how that affects the water flow going into the ponds and down further?

Mr. Neddenriep has looked at the grades. It shouldn't affect it. The waterfall would have to be removed and then it would gently flow. They would put a channel in very similar to the existing channel so the water would not be stored, no ponding. He didn't feel the ranchers would have any problem.

Mr. Slater wanted to clarify that this is the Hellwinkels and the Town working together, not a developer?

Mr. Ruben stated that was correct.

Mr. Park asked if they could give a motion to authorize staff to proceed and authorize working with the Corp of Engineers, any other agency that is needed and working with the family to see what can be done. They do not have \$40,000 currently in the budget to address the flood study. There is perhaps some ways to address that based on some conceptual future uses. If it was to go to senior housing perhaps they could tap into the CDBG grant cycle and have federal money come in and fund the flood study. It is nice to be able to work with the property owner that will be of long-term community benefit.

No public comment.

Motion Lindsay/Slater to have staff work with the Army Corp. of Engineers and any other organization as well as the Hellwinkel family to look at facilitating the proposed plan that was submitted.
Motion carried with Board Member Philips absent.

12. Discussion and possible action on revisions to the proposed changes to Title 20, Sign and Advertising Control

Mr. Park attached the revised changes Douglas County has made in Board packets. The one major change to the ordinance is to make it mandatory that a sign is placed in front of a business. They do not need to take any action. Mr. Sayre from the Chamber is present.

Chairman Cook believed it should read, "the vehicle needs to be operational" for signs on vehicles.

Mr. Rowe indicated in a motion they can direct Jim to communicate that specific recommendation to Mimi and to the Chairman in addition to the written minutes.

No public comment.

Mr. Park will convey those concerns to the County.

Ms. Bovat pointed out one of the things the Town is working on is the plan for prosperity. They might want to apply certain signage techniques or materials to be used in the structures and that could be presented to the County to incorporate into the Master Plan and into the Code at a later time.

Mr. Park mentioned on the way finder agenda item there are ways to develop a common theme to meet the community needs as well as the business owners. There is clear direction on the concern if there is some possible way with regard to the vehicles they will pass on those concerns.

Motion Smith/Lindsay to adopt Ordinance 2005-1137, an ordinance amending Title 20 Section 20.696 sign and advertising control specifically Sections 20.696-200 prohibited signs, 20.696.220 advertising on vehicles and adding a new section to Title 20 Section 20.620.043, the temporary A-frame sign permits with stipulations to have staff look into the vehicles on the street and on-street sign, and convey that to the County addressing those additional issues that were discussed.

Upon call for the motion Mr. Smith and Mr. Lindsay voted yeah and Chairman Cook and Mr. Slater voted nay.

Mr. Rowe stated the issue in the minutes will be submitted to Mike Philips who will cast his vote and that will be the action of the Board.

20. Discussion and possible action on a proposed community points of interest signage plan along Main Street

Mr. Park explained part of what they are looking at doing is starting to lay the foundation on a pilot program. Staff is requesting the Board look at the downtown development area as an area for the pilot program. He is recommending the Chamber of Commerce be involved in this process. They have a meeting scheduled with NDOT in the next few weeks to get some guidance. Some of the things that need to be brought back to the Board are: How many signs; What will they look like; Who maintains them; Who funds them, and more. They are working with Sierra Pacific Power Company on wind loads and other issues. One of the best design options would be to mount the signs on the existing poles. Another option would be a separate post with a downtown map or combination of signs and maps. He is asking long term does the Board feel this is worthy of moving forward and to get some input so they can bring more detailed ideas and concepts that would fit within the Board's desire.

Chairman Cook would hate to hang things off the light posts.

If it is the Board's desire not to utilize the existing light poles, Mr. Park will find alternatives. There are different ways communities address these issues.

Chairman Cook opened public comment.

Mr. Sayre (Chamber of Commerce) felt the whole point of entry community interest signs is one of the key points local businesses want to talk about. He believes they will end up with less signage and less clutter. If you come up with the right generic signs, you really can help take away the need for a lot of the individual signs. Conceptually it looks like something that could have value and do a better job. They talked about a pilot project in Phase 1 to see if they can come up with a design that makes sense and makes the Town look better.

Mr. Park would be looking through the pilot program, the Town would be the permitting body with NDOT and then they would

maintain them as well. It would need to be durable. They still need to come back with materials, and designs.

Chairman Cook would like to see something in concept.

Mr. Slater felt this is part of planning. He agrees with Paul the types of poles are fine. Put a pole in a strategic location that has a sign with all the businesses that is decorative. Make it something attractive that people want to look at. They need to go by district. They need to start planning long range. They are going to start getting flack from the businesses that aren't in the core area. There needs to be a whole program. He does not mean stop, but they need an overall plan. He hopes the plan for prosperity will come out with an overall program.

Mr. Park pointed out the Town Board has adopted the general improvement standards that require developers to put in the decorative lights and other amenities. The plan for prosperity will provide many of the planning tools long range. It's a plan that will take 15 to 20 years to be totally built out. There are three areas the CAC is looking at: historical, south gateway and Stodick/395 area. The intent of this agenda item was not to instantly do something. Just kind of trying to get a little bit of feedback. It is apparent that they would prefer to look at several sites: one entering the historic district, one exiting. They were looking at a pilot program to come up with a design and put it out. NDOT will have similar things they will want. Skip and himself are not approaching this from the standpoint they should be advertising every single business. He has heard clear direction from the Board. He will bring something back later.

TOWN BOARD

13. Discussion and possible action regarding the 10-year update of the Douglas County Master Plan, (general Board discussion)

The Board requested a trailing item to be placed on subsequent agendas to allow the opportunity to discuss the master plan. September 7 is the workshop for the Gardnerville planning area.

Ms. Bovat reviewed what they will be going over in the workshops. As a Town they can come together with some written documentation like the plan for prosperity. They are trying to get out to each and every community. The idea is to look at where they are going, what is missing, what has been done and is obsolete. It will go to the Planning Commission next August and then the Commission.

TOWN ENGINEER

14. Accept Town Engineer's monthly report of activities

Mrs. Roman added a few more projects to the summary list, working on the next phase of Main Street Sidewalks, the frontage of Yparraquirre's property, valley gutter and curb and gutter out in Carson Valley Estates so they can get the surface opened up during the driest part of the year. They are still working on the punchlist items for sidewalks with V & C.

TOWN MAINTENANCE FOREMAN

15. Accept Town Maintenance Foreman's monthly report of activities

Mr. Summers reported the new positions have all been filled. It is nice to have a full staff. They have tried some new products for patching.

TOWN ATTORNEY

16. Accept Town Attorney Monthly Report of Activities

Mr. Rowe does not have good new to report. The Town has been named as a defendant by Shuman Dressler. The County and NDOT have also been included in the suit. They have a \$500 deductible through the insurance so it has been turned over to the POOL. They will be defending the lawsuit.

Southwest Gas has protested to the County that they are being double dipped when they have to pay the street cut fee. The County conducted a meeting and invited both Jim and himself but neither of them could attend. They have talked to Bob Morris. Southwest Gas' position is based on a 2003 case out of the 9th Circuit of Appeals. In discussions with Jim and Bob, they will continue to apply for the street cut permits if we hold in abeyance the street cut fee pending a meeting that will be set up in the near future between Southwest, the Town and the County. He and Jim will attend the meeting and attempt to work out some sort of a resolution. They have agreed to continue with the application but they don't want to pay the fee. This does not apply to all utilities. Unless they get another protest from another entity that pays franchise fees. The County is supposed to receive notice when they want to cut a street and refer the permit to the Town in compliance with our standards. In terms of the fee they will not pay it.

TOWN MANAGER

17. Accept Town Manager's monthly report of activities

Mr. Park included a written report. He will answer any questions. The 395 corridor group will get back to him on their meeting.

18. Accept a project update on Main Street Lighting Phase II

Mr. Park advised bank financing closes tomorrow. They will be working on the interagency agreement with NDOT. He has been talking with the material suppliers and sent out letters to the utilities.

19. Accept an update on the results of the US 395 survey project

Mr. Park noted the survey has been completed. The map is about 20 feet long. It shows all the right of way. From the survey NDOT has more right of way than they believed.

20. Discussion and possible action on a proposed community points of interest signage plan along Main Street
(Moved after item 12.)

21. Discussion and possible action to authorize staff to purchase a replacement vehicle, or provide other direction

Mr. Park informed Board members the old white service truck blew up. They took the office truck, removed the body, and the body off the old truck is being mounted on it. That left no vehicle here at the office. There is money in the ad valorem capital projects fund. They are looking at purchasing an extended cab truck. Gives office staff the option of doing some hauling or taking other passengers when necessary. Pricing is \$23,878.19. In the future as the needs grow the office truck would roll into the field.

No public comment.

**Motion Smith/Lindsay to authorize staff to purchase a replacement vehicle not to exceed \$25,000.
Motion carried with Board Member Philips absent.**

TOWN BOARD

22. Discussion and possible action to consider the character and professional competence of a Town employee, Jim Park, Town Manager, annual performance evaluation

Chairman Cook asked if members had had a chance to read the evaluation?

Chairman Cook went over the salary range.

Motion Slater/Lindsay to recommend Mr. Park receive the seven percent merit increase indicated on the evaluation, three percent maximum bonus and the three paid days administrative leave.

Motion carried with Board Member Philips absent.

23. Discussion and possible action regarding the employment of a Town employee (Jim Park, Town Manager)

Mr. Park attached some goals he would like to work on next year. The International City/County Manager's Association is a clearing house for managers and elected officials. There is good value that comes out of that by virtue of networking. He intends to join ICMA even if the Town doesn't reimburse for it. Part of his goals, there are two different mechanisms to assist managers, one is a manager self assessment and there is also a 360-degree evaluation.

Mr. Slater believed the County's educational incentive program should take care of that. Apply to them and if it is not approved, refer it to the Board and they will use that as a measure for a reclassification. It should be something they could use as a reclass tool. But he would like the County involved in it. He would like the Town to pay for it. But he would like the County to say it is a good idea.

Chairman Cook would like the manager's job description updated. It has not been done in ages. He felt they should sit down and go over that.

Mr. Slater asked to keep in mind a reclass when they do that.

Mr. Park can sit down and write what he does and then the Board can go over it.

Mr. Slater asked if the job description should include ICMA as a requirement for all prospective town managers to have those qualifications? Would that open up an area whereby they could negotiate a contract for Jim?

Mr. Rowe thought they would run into problems in giving financial incentives. They almost need to do the reclass to do his potential for salary increase. They have it set up on the evaluation.

Mr. Slater brought up a concern with the structure of the Board. The vice-chairman hasn't been here for four meetings. He is concerned on the policy of the Board to make the vice-chairman the chairman. He is worried about the new year. They will be nominating the next chairman soon. He wants to nominate someone that will be here.

Chairman Cook will speak with Mr. Philips.

Meeting adjourned at 7:55 p.m.

Respectfully Submitted,

Thomas J. Cook
Chairman

Jim Park
Clerk to the Board